

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 5 MAY 2022, AT
10.00 AM

PRESENT: Councillor D Snowdon (Chairman)
Councillors J Jones and C Wilson

ALSO PRESENT:

Councillors D Andrews, J Goodeve and
P Ruffles

OFFICERS IN ATTENDANCE:

Michele Aves	- Democratic Services Officer
Peter Mannings	- Democratic Services Officer
Dimple Roopchand	- Litigation and Advisory Lawyer
Brad Wheeler	- Senior Licensing and Enforcement Officer

ALSO IN ATTENDANCE

Sue Adams	- Premises Licence Holder
Sue Barber	- Hertford Town Council
Elaine Dell	- Premises Licence Holder
Nick Kirby	- Hertford Town

Council

47 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Wilson and seconded by Councillor Jones, that Councillor Snowdon be appointed Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Snowdon be appointed Chairman for the meeting.

48 APOLOGIES

There were no apologies.

49 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's Announcements.

50 DECLARATIONS OF INTEREST

There were no declarations of interest.

51 MINUTES - 13 OCTOBER AND 15 OCTOBER 2021

It was moved by Councillor Jones and seconded by Councillor Wilson that the Minutes of the meeting held on 13 October 2021 be confirmed as correct records and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

It was moved by Councillor Wilson and seconded by Councillor Jones that the Minutes of the meeting held on 15 October 2021 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meetings held on 13 October and 15 October 2021, be confirmed as correct records and signed by the Chairman.

52 APPLICATION FOR A VARIATION OF A PREMISES LICENCE FOR JUNGLE BAR, 117 FORE STREET, HERTFORD, HERTFORDSHIRE, SG14 1AX 22/0207/PLV

The Chairman summarised the procedure for the Sub-Committee hearing. All those present were introduced or introduced themselves.

The Sub-Committee was advised that on 28 February 2022, an application was received for the variation of the premises licence in respect of Jungle Bar, 117 Fore Street, Hertford. The application was subsequently amended on the 12 March 2022, for the following licensable activities:

- The provision of recorded music Monday to Tuesday 09:00 – 01:30, Wednesday 09:00 – 02:30, Thursday – Saturday 09:00 – 03:00 and Sunday 09:00 – 02:30

The Sub-Committee was advised that the applicant had proposed no additional steps to promote the four licensing objectives as there were a number of

conditions on the current premises licence. The Senior Licensing and Enforcement Officer detailed the involvement of Environmental Health in respect of the setting of agreed noise limiter levels for all speech, live music and recorded music.

The Senior Licensing and Enforcement Officer said that during the 28 day consultation period, six representations had been received from interested parties. The representations were from local Councillors and they had engaged the following licensing objectives:

- prevention of public nuisance
- prevention of crime and disorder
- public safety

The Sub-Committee was advised that the objections from local Councillors were due to concerns regarding music and people noise along with customer behaviour outside the premises.

The Senior Licensing and Enforcement Officer said that Hertford Town Council had also raised an objection based on the prevention of public nuisance licensing objective due to the proximity of neighbouring residents. There had also been two residents objections based on the prevention of public nuisance due to the proximity of neighbouring residents.

The Sub-Committee was advised that there had been no representations from any responsible authority and the Senior Licensing and Enforcement Officer drew Members' attention to the Officer observations that

were detailed in the report.

The Sub-Committee was advised that SIA condition four could not be amended as this had not been widely consulted upon. The Sub-Committee was advised that the applicant had been advised that amending condition four would require an amendment application.

The Senior Licensing and Enforcement Officer said that the Sub-Committee should determine the application with a view to promoting the four licensing objectives. In determining the application, Members should determine whether they felt that the applicant had provided evidence that the application, if granted, would promote and not undermine the licensing objectives.

The Senior Licensing and Enforcement Officer said that the determination of the Sub-Committee should be evidence based, justified and being appropriate for the promotion of the four licensing objectives.

The applicant said that the staff running Jungle Bar took great responsibility in keeping vulnerable patrons safe, well and well behaved. She said that the premises aided the Hertford pub watch group and she believed that the Jungle Bar was a much needed venue in the town.

The applicant said that the socialisation for young people was paramount for wellbeing and mental health and they were glad that the Jungle Bar had survived the harsh realities of Covid-19. She said that

all venues in Hertford gave a different experience and all venues were equally as important.

The applicant said that an email had been sent to the Castle Ward District Councillors to request a meeting so that the reasons for the music variation could be explained. She explained why the application for the variation had been made and said that no sound escaped from the back of the premises. The applicant explained that the front door of the premises was kept open to maintain a flow of fresh air due to Covid-19 safety and there had been no complaints.

The applicant stated that there had been no music related complaints in years and a complaint was only made when blue notices went out regarding this variation application. She agreed that fighting in the street was a problem and had always been a concern. The Sub-Committee was advised that she worked closely with the police to bar anyone who displayed violence.

The applicant said that the scanner in the Jungle Bar had identified the people who were barred from entering premises in Hertford. She reiterated that no responsible authority had objected to the application and she referred to the extra conditions that had been accepted onto the licence, for example the wearing of high visibility clothing by the SIA door staff.

The applicant said that Hertford had the second largest night time economy in East Herts that brought pleasure to many and she would continue to try to help the police in identifying the criminals in society.

The Sub-Committee was advised that the Jungle Bar was awaiting its certification of five stars under the licensing savvy system and the applicant and a colleague were the chair and vice-chair of pub watch.

Councillor Wilson asked how many people were in the premises during the last hour of opening in terms of a percentage of the total capacity. He also asked for some clarity as to why the change in the hours and the reason for the provision of music at the front of the building in the form of background music approach closing time.

The applicant confirmed that the Jungle Bar was sometimes full in the hour prior to closing time and at other times there would be around 60 people in the premises. She confirmed that this figure varied and a half an hour soft closing period was proposed at the Jungle Bar.

Councillor Wilson asked about the policy for dispersal to stop large numbers of people exiting the premises at once. The applicant confirmed that there was not normally a mass exodus and occasionally people were kept inside the premises if there was something happening outside of the Jungle Bar. Every effort was made to avoid a mass exodus from the premises by suddenly stopping the music and turning the lights on.

Following questions from Councillor Jones, the applicant explained in more detail the operation of the front and rear sound systems at the Jungle Bar. She also set out the reasons for the request for more time in the variation application.

Councillor Jan Goodeve, as the local ward Member, informed the Committee that historically there had been problems with the premises which culminated in a review of the licence before the pandemic. She stated that there needed to be a balance and the Jungle Bar needed to be a good neighbour and there also needed to be fairness in the consideration of people who live within the vicinity of the premises who needed to feel safe in their own homes.

Councillor Goodeve said that there had not been any issues regarding noise emanating from the premises. The issue was concern regarding the disruption from people leaving the Jungle Bar even later should music be permitted to be played later and the issue of the noise associated with people dispersing that could disturb local residents.

Councillor Goodeve said that she was pleased that the Jungle Bar had signed up to the Licensing Savvy initiative that had been instigated by the Police. She commented that it would have been inappropriate for Members to meet with the applicant without an Officer being present.

There being no closing summary submissions, the Sub-Committee, the Litigation and Advisory Lawyer and Democratic Services Officers retired to a separate room to allow Members to consider the evidence.

Following this, Members and Officers returned and the Chairman announced that the Sub-Committee had listened to the comments of the Senior Licensing and Enforcement Officer, the applicant and the interested

parties and had decided to grant the variation of the premises licence, subject to the one additional condition offered by the applicant.

Additional Condition:

- All SIA registered door staff to wear high visibility jackets for one hour prior to the terminal hour until SIA door staff had finished their duties.

RESOLVED – that the application for the variation of a premises licence at the Jungle Bar, 117 Fore Street, Hertford be granted, subject to the following additional condition offered by the applicant:

- All SIA registered door staff to wear high visibility jackets for one hour prior to the terminal hour until SIA door staff had finished their duties.

Reasons for Decision

1. The Licensing Sub Committee considered all of the evidence before it including the written representations made by the interested party. Members had regard to the Council's Statement of Licensing Policy, the Licensing Act 2003 and the guidance promulgated pursuant to Section 182 of that Act.
2. The Licensing Sub Committee is required to adopt a presumption in favour of granting a variation to

a licence unless there is clear evidence upon which to base a refusal or modification. There was insufficient evidence before the Sub Committee to rebut that presumption.

- 3. In reaching this decision Members had regard to the objections received and noted that whilst there is a perception of public disorder in the night time economy around the Town Centre, the concerns were speculative which could not be directly attributed to these premises and were therefore outside the scope of the Sub Committee to consider.

53 APPLICATION FOR A NEW TIME LIMITED PREMISES LICENCE BY INTEGRATED EVENT MANAGEMENT LTD (STONE VALLEY FESTIVAL SOUTH / WANNASEE FESTIVAL) FOR EVENTS AT HILLSIDE FARM, HILLSIDE LANE, GREAT AMWELL, WARE, HERTFORDSHIRE, SG12 9SH (22/0235/PL)

Application deferred to Licensing Sub-Committee meeting on 9 May 2022.

54 URGENT BUSINESS

There was no urgent business.

The meeting closed at 11.11 am

Chairman
Date